

Exhibit N

**UNREDACTED
VERSION
OF DOCUMENT
SOUGHT TO BE
SEALED**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,)
Plaintiff,)
v.) Case No.
UBER TECHNOLOGIES, INC.;) 3:17-cv-00939-WHA
OTTOMOTTO LLC;)
OTTO TRUCKING,)
Defendants.)
-----)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF EDWARD RUSSO
WEDNESDAY, DECEMBER 20, 2017

REPORTED BY:

PAUL J. FREDERICKSON, CCR, CSR

JOB NO. 2771335

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1 information in that deck about Uber's 15:36:19
2 competitors being reviewed with some of the 15:36:22
3 members of ATG? 15:36:24
4 A. That's my recollection. 15:36:25
5 Q. Let me show you previously marked 15:36:45
6 Exhibit 9206. 15:36:45
7 [Document passed to the witness.] 15:36:46
8 Q. Have you seen this document 15:37:13
9 before? 15:37:14
10 A. Yes. 15:37:14
11 Q. In what context? 15:37:16
12 A. As I recall, I prepared it shortly 15:37:19
13 after I was hired. 15:37:24
14 Q. Did you give it to anyone else 15:37:26
15 in -- on your team? 15:37:28
16 A. I submitted it to Mr. Gicinto, 15:37:29
17 yes. 15:37:33
18 Q. Did he give you feedback? 15:37:34
19 A. Yeah, I mean, he thanked me for 15:37:36
20 the -- the document, and then that was about 15:37:39
21 it. I don't -- I don't recall us ever doing 15:37:43
22 anything with it. 15:37:46
23 Q. This says "Draft" on each page. 15:37:46
24 Do you recall whether there were other versions 15:37:48
25 of this document? 15:37:50

1 A. As I recall, this was the only, 15:37:51
2 the only one I prepared, and that's why it says 15:37:54
3 draft because it never -- never went any 15:37:57
4 further. 15:37:59
5 Q. Did Mr. Gicinto ask you to prepare 15:37:59
6 this? 15:38:03
7 A. Yes. 15:38:03
8 Q. And where did the information in 15:38:03
9 this document come from? 15:38:06
10 A. Everything in this document would 15:38:10
11 have come from -- I'd have to read the -- the 15:38:12
12 whole thing. 15:38:15
13 Q. Well, let me ask a different 15:38:28
14 question. 15:38:30
15 A. Yes. 15:38:31
16 Q. If you look at the -- on the 15:38:32
17 second page -- 15:38:35
18 A. Right. 15:38:35
19 Q. -- it says "Collection strategy." 15:38:36
20 And what's that intended to convey? 15:38:37
21 A. Collection strategy. 15:38:48
22 [Pause.] 15:38:48
23 A. The whole -- it's intended to 15:39:13
24 convey just that, how we would do our research 15:39:15
25 into the various competitors. 15:39:19

1 And -- so you're -- what you're 15:54:40
2 saying -- we talked about Iden earlier; 15:54:40
3 correct? 15:54:43
4 A. Right, yep. 15:54:43
5 Q. And you had said that you believed 15:54:43
6 all of these Idens, C, D, E, F, G and H, were 15:54:45
7 Chinese competitors? 15:54:53
8 A. There were other competitors. I 15:54:55
9 believe the majority of them were Chinese, yes. 15:54:57
10 Q. But what you're saying here is 15:55:00
11 that Iden I and Iden J are -- are 15:55:01
12 identifications of the ATG group at Uber -- 15:55:06
13 A. Uh-huh. 15:55:11
14 Q. -- and the Otto company -- 15:55:12
15 A. Right. 15:55:12
16 Q. -- respectively; is that right? 15:55:14
17 A. Yes. 15:55:16
18 Q. And then it says: 15:55:21
19 "The purpose of these meetings 15:55:22
20 will be to gather assessment on the claims of 15:55:23
21 competitors as to their progress in the AV 15:55:25
22 race" -- 15:55:27
23 A. Right. 15:55:27
24 Q. -- "and then to identify which 15:55:27
25 specific techniques and technologies are likely 15:55:29

1 to lead to success and which are red herrings." 15:55:32

2 Do you know if this was done? 15:55:34

3 A. It was not done. 15:55:35

4 Q. Do you know why? 15:55:36

5 A. Yeah. Again, this, this document 15:55:38

6 I prepared at Mr. Gicinto's request last year. 15:55:41

7 It was conceptual in nature, and most of what's 15:55:46

8 in here we never did. We didn't actually make 15:55:50

9 any kind of concerted effort until after the 15:55:56

10 meeting with -- with Mr. Ron, and that's when 15:55:58

11 those requirements came in. 15:56:00

12 Q. Do you see that after internal 15:56:07

13 resources, there's a little asterisk? 15:56:09

14 A. Internal resources, little 15:56:09

15 asterisk. Yes. 15:56:14

16 Q. I'm looking at page 626. 15:56:15

17 A. Yes. 15:56:17

18 Q. Okay. 15:56:17

19 And does that asterisk refer to 15:56:17

20 what's on page 628, the asterisk there, the 15:56:19

21 note? 15:56:23

22 A. Yes. 15:56:35

23 Q. Okay. 15:56:35

24 And is what's being conveyed here 15:56:44

25 that when you're meeting with some of the 15:56:47

1	employer?	16:01:45
2	A. We never did it, so the question	16:01:46
3	is hypothetical. But, of course, it would have	16:01:47
4	mattered.	16:01:49
5	Q. Well, you were suggesting that	16:01:49
6	that's one thing that should be done here in	16:01:51
7	this document; right?	16:01:53
8	A. That could be done, sure.	16:01:54
9	Q. Okay.	16:01:54
10	And did you discuss that with	16:01:56
11	Mr. Gicinto?	16:01:58
12	A. I don't recall having that	16:02:02
13	discussion with him specifically, no.	16:02:04
14	Q. All right.	16:02:04
15	Do you recall having a discussion	16:02:08
16	with anyone in your group?	16:02:11
17	A. About that?	16:02:12
18	Q. Yes.	16:02:12
19	A. No. Again, I prepared this	16:02:14
20	document and shared it with Mr. Gicinto.	16:02:15
21	Essentially, I mean, it never really went	16:02:19
22	anywhere. We never ended up doing or executing	16:02:21
23	any of this.	16:02:25
24	Q. Well, you executed some of it?	16:02:27
25	A. Some of it, yes.	16:02:28

C E R T I F I C A T E

I, PAUL J. FREDERICKSON, CA
Certified Shorthand Reporter No. 13164 and
WA Certified Court Reporter No. 2419, do
hereby certify:

That prior to being examined,
the witness named in the foregoing
deposition was by me duly sworn or affirmed
to testify to the truth, the whole truth and
nothing but the truth;

That said deposition was taken
down by me in shorthand at the time and
place therein named, and thereafter reduced
to print by means of computer-aided
transcription; and the same is a true,
correct and complete transcript of said
proceedings.

I further certify that I am not
interested in the outcome of the action.

1 Witness my hand this 21st day
2 of December 2017.

3
4 
5

6 PAUL J. FREDERICKSON, CCR, CSR

7 WA CCR 2419 CA CSR 13164

8 Expiration date: March 31, 2018
9